

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.11848 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in S.C.No.17/S/16 on the file of the IV Additional District and Sessions Judge-cum-Special Judge for trial of cases under SCs & STs (POA) Act, Guntur, registered for the offences punishable under Section 3(i) (x) of SCs & STs (POA) Act and under Sections 447, 427 and 506 r/w.34 IPC.

Heard the learned counsel appearing for the petitioners/A1 & A3 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the charge sheet against the petitioners. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I see no ground to quash the charge sheet.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the Criminal Petition is disposed of, directing the Court below to proceed with the trial, however, without insisting for the presence of the 2nd petitioner/A3 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. It is made clear that the 1st petitioner/A1 shall continue to appear before the Court below through out the trial.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 11.08.2016

Dsr